

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parent:

Lawrence Berliner, Esq.
Law Office of Lawrence Berliner, LLC
1720 Post Road East, Suite 214-E
Westport, CT 06880

Appearing on behalf of the Board:

Christine Sullivan, Esq.
Berchem Moses, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Sylvia Ho, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the Board provide an appropriate program for the 2019-2020 school years and extended school years for 2019 and 2020?
2. Did the Board commit procedural violations by predetermining Student's IEPs and/or impeding Parents' rights to meaningful participation at the June and August 2019 PPTs and/or March 2020 PPT, or commit any other procedural violations and if so, did these procedural violations result in loss of educational opportunity for Student?
3. If any answer to issues #1 and/or #2 above is in the affirmative, is the Parents' unilateral placement of Student at Southport School appropriate?
4. If so, should Parents be reimbursed for their payment of tuition and education related expenses for Southport School?
5. Do the circumstances warrant an award of compensatory education?

PROCEDURAL HISTORY/SUMMARY:

The Parent filed the Due Process Complaint and Request for Hearing on May 22, 2020. The Hearing Officer was appointed on May 26, 2020 and conducted a Prehearing Conference on June 3, 2020. The hearing was scheduled for August 18, 2020. On August 18, 2020, the attorneys for both parties reported that the parties had an agreement in concept and that they were working on a written agreement for execution. The hearing was adjourned to September 14, 2020 and an extension of the mailing date was granted at the request of the parties to September 16, 2020 to continue the hearing. On September 14, 2020, the Parties reported that they were continuing to work on the agreement and

October 19, 2020

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requested a further extension of the mailing date to completed it. The request was granted for good cause to October 16, 2020. On September 30, the Parents withdrew the Hearing Request.

FINAL DECISION AND ORDER:

The matter is **DISMISSED** with prejudice.